



FY 2007 Environmental Enforcement Training Report

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Office of Compliance
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
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National Enforcement Training Institute
Environmental Enforcement Training Report
FY 2007



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Compiled by U.S. EPA's National Enforcement Training Institute

The U.S. Environmental Protection Agency (EPA) provides training in environmental enforcement and compliance topics to federal, state, local, and tribal governments as well as to foreign governments and international organizations. This training is provided by EPA's Office of Enforcement and Compliance Assurance (OECA) as well as Regional Offices located around the country. **In summary, EPA's enforcement and compliance program trained 12,582 persons in fiscal year 2007, through a combination of classroom, computer and videotape training. This includes 6,520 by Headquarters' offices and 6,062 by Regional offices.**

The **National Enforcement Training Institute (NETI)**, located within OECA's Office of Compliance, was created by Congress in 1991 and is responsible for training government employees, such as lawyers, inspectors, civil and criminal investigators, and technical experts, in the enforcement of the nation's environmental laws. Quality training courses are provided for enforcement personnel in a number of areas, such as case support, specific statute enforcement, compliance assistance, and environmental criminal enforcement. By using traditional classroom training, distance learning, and cooperative agreements with other organizations, NETI's strategy is to promote a balanced training approach to environmental enforcement training.

Besides teaching and managing a number of its own courses, NETI continues to serve as the coordinating office for enforcement and compliance monitoring training that is created, taught or contracted for by OECA offices, and reports Regional office activities. NETI coordinates and reports these activities to recognize the achievements of those involved and encourages continued efforts to provide quality training for environmental enforcement professionals around the country.

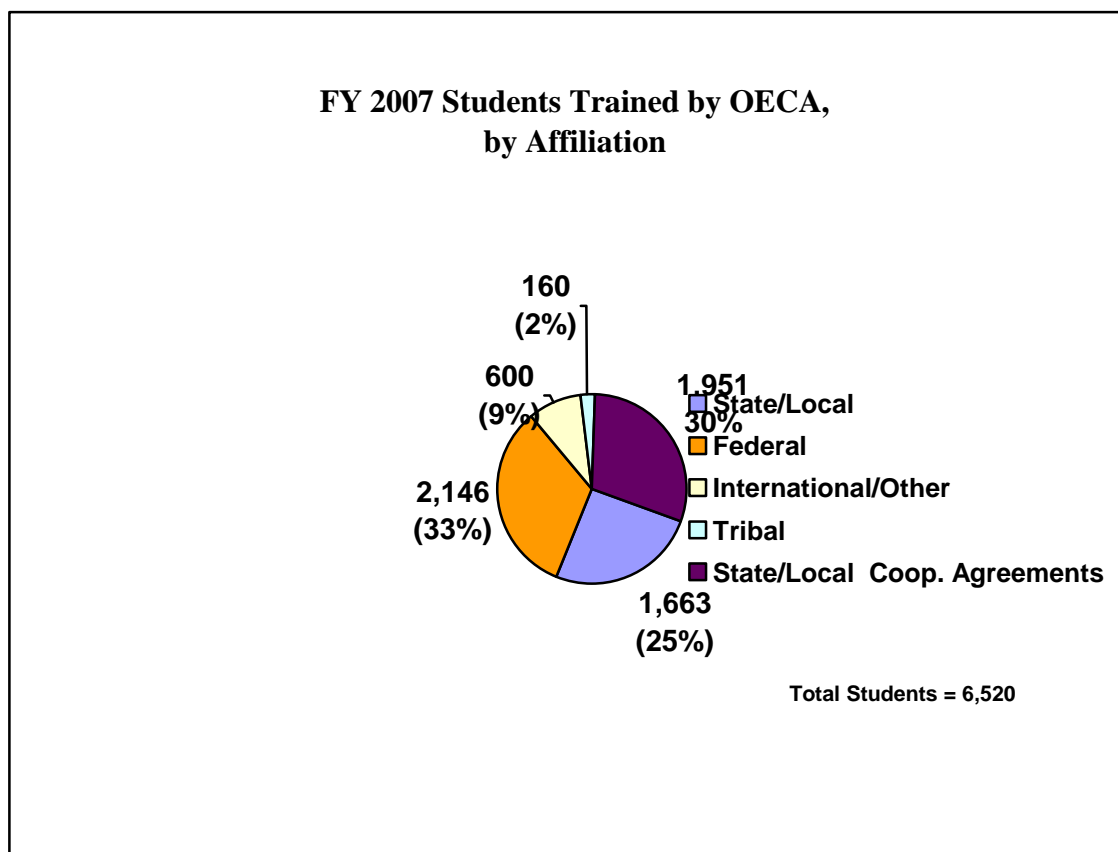
The report details are divided into two sections: Headquarters and Regional Offices.

Office of Enforcement and Compliance Assurance at Headquarters

The Office of Enforcement and Compliance Assurance (OECA) is located at EPA Headquarters and is composed of five program offices and four staff offices. Training resources are generally decentralized within the organization; thus each office within OECA is responsible for developing and delivering training courses for its areas of expertise and programs for which it serves as national manager.

Training Statistics

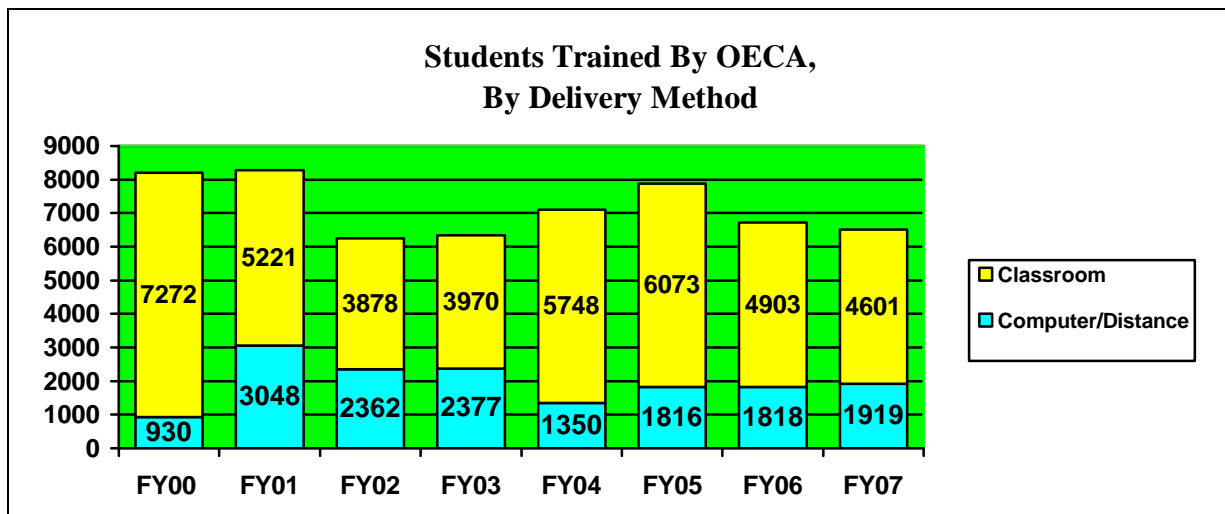
The Office of Enforcement and Compliance Assurance (OECA), as reported through NETI, trained 6,520 federal, state, local, tribal and international personnel through 198 different course deliveries in FY 2007. Training state and local government personnel remained a strong focus, as a combined total of 3,614 (56%) students were trained from these organizations. A total of 2,146 (33%) federal employees received training, international and other students numbered 600 (9%), and 160 (2%) students from tribal governments received training.



Statistical Trends

**Multi-Year Comparison of
Students Trained by OECA**

| Employer | FY 2003 | FY 2004 | FY 2005 | FY 2006 | FY 2007 |
|-----------------------|---------|---------|---------|---------|---------|
| Federal | 2,178 | 2,500 | 2,282 | 2,539 | 2,146 |
| State/Local | 3,362 | 2,617 | 4,852 | 3,830 | 3,614 |
| Tribal | 487 | 254 | 151 | 88 | 160 |
| Intern'l/Other | 320 | 377 | 604 | 264 | 600 |
| TOTAL | 6,347 | 5,748 | 7,889 | 6,721 | 6,520 |



Of the 6,520 trainees for this year, 1,919 persons, or 29%, were trained via non-classroom courses and products this year. Most of these students used computer-based products such as CD-ROM and web-based training. This number is similar to last year's 1,818 persons (27%) that used non-traditional training products.

Training Highlights

Various offices within the Office of Enforcement and Compliance Assurance (OECA), including NETI, developed or delivered training this year. Following are highlights of the new or unique courses.

The Office of Compliance (OC)

PC Tablet (Mobile Computer) and Inspection Template Training: Office of Compliance staff hosted a two-day training class for two Polychlorinated Biphenyls (PCB) inspectors from the Missouri Department of Natural Resources. Missouri is the first of three states to be trained on PC Tablets and the PCB Inspection Template. The 3-part training focused on Tablet functions and assorted software associated with the Tablet; reviewing the PCB Inspection Template; and conducting a mock inspection using the Tablet and PCB Inspection Template. The next states to receive this training will be Illinois and North Dakota, at a time to be determined after they receive their equipment. Contact: Everett Bishop, 202-564-7032; Peter Canepa, 202-564-7066.

“OTIS - Facility Finder” Training Held via Webinar Technology: The Office of Compliance staff from two different divisions collaborated to offer a class using virtual Instructor Led Training (vILT) technology to provide “OTIS - Facility Finder” training. A total of 25 students from several EPA Regions and states participated in the webinar session which provided “how-to” instruction for developing queries to locate and link to facilities of interest. Webinar technology allows users to join together at a central web location and share in the review of an application, such as OTIS, a PowerPoint presentation, a Word document, and/or an individual’s PC-desktop, without leaving their office. Contact: Pat Straw, 202-564-2513; Mike Barrett, 202-564-7019; Rebecca Kane, 202-564-5960.

New Training Module on Administrative Practice Now Available: NETI announced that the newest training product, “Prehearing Exchange,” is available at www.netionline.com. This self-instructional module provides new EPA attorneys as well as experienced EPA administrative litigation practitioners with practical advice for the preparation of prehearing exchanges (PHXs). Guidelines for strengthening the presentation of a case and thereby encouraging settlement and improving credibility with administrative law judges are also presented. Created by members of EPA’s Administrative Litigation Workgroup, the module will take students about one hour to complete and is free to environmental enforcement personnel. Contact: Alice Mims, 202-564-6069; Helene Ambrosino, 202-564-2627; Gary Jonesi, 202-564-4002.

MS4 Audit/Inspection Train-the-Trainer Workshop: OECA and the Office of Water have combined their resources to develop this “MS4 Audit/Inspection Train-the-Trainer Workshop” which was held in the Region 5 (Chicago) offices this summer. The purpose of this workshop was to train Regional officials to, in turn, train other state and Regional

personnel to conduct MS4 audits and inspections. Following this workshop, training materials supplied to participants will be used to train state and Regional personnel; Regions will be asked to report in six months on the training they conducted. The workshop topics included preparation activities for conducting an MS4 inspection or audit; conducting an on-site MS4 inspection or audit; on-site close-out; and post-inspection and audit activities. Contact: Peter Bahor, 202-564-7029.

OECA Helps to “Raise the Bar” by Mentoring and Training Law Clerks: OECA offers qualified and highly motivated law students the unique opportunity to work side-by-side with practicing environmental lawyers and technical professionals in its Washington, DC headquarters office. Students work in the office as academic (for credit) interns under a variety of public service or academic fellowships and as unpaid law clerks or interns. In some years, depending on the budget, a limited number of paid positions are available. Since 1990, over 400 students from more than 156 U.S. and foreign law schools and other academic institutions have participated in the OECA summer program. The interns work under the direct supervision of a practicing attorney, performing a wide variety of legal or technical research, policy analysis or writing assignments. Summer internships generally run for eight to ten weeks.

Throughout the summer, OECA offers a series of unique, specialized training sessions on a wide variety of current and emerging issues regarding environmental protection, safety and law enforcement. Recently offered educational programs offered include Environmental Justice, Effective Case Development, EPA’s International Activities, Life Ecology, Federal Facilities Enforcement, Alternative Dispute Resolution, EPCRA, FIFRA, Tribal programs, the Clean Air Act, Hazardous Waste Management, Water and Wetlands, and of course, practical courses on building resumes and finding a job. Contact: Mike Walker, 202-564-2624.

The Office of Federal Activities (OFA)

NEPA & Environmental Cross-Cutters Training: A 3-day training session on “NEPA and Environmental Cross-Cutters” (e.g., the NHPA, the ESA, and Section 404 of the CWA) was held in Region 7. The course, which was attended by individuals representing eight federal and state agencies, provided hands-on instruction to help participants meet their respective NEPA/cross-cutter compliance responsibilities. All participants expressed appreciation for the course; several attendees expressed interest in scheduling separate sessions for their respective agencies. Contact: Robert Hargrove, 202-564-7157.

Enforcement Training in Guyana and Peru: Staff from OECA and Region 2 combined forces to present the “Principles of Enforcement” course concurrently in Georgetown, Guyana and Lima, Peru, in August 2007. Since the courses were part of the State Department's efforts to combat illegal logging, forest management case studies

were used to illustrate enforcement and compliance program development and implementation. Both courses included a wide range of stakeholders from different government agencies and NGOs, and received an outstanding reception from all participants. Remarkably, despite the earthquake in the southern part of the country the previous week, 100% of the Peruvian invitees attended. The courses also included a train-the-trainer session on the last day to help ensure the sustainability of the courses in the countries. Contact: Davis Jones, 202-564-6035.

Environmental Impact Assessment Review International Training: In July 2007, staff from OECA and Regions 3 and 8 provided the “Principles of Environmental Impact Assessment Review” course to the U.S. Government’s Millennium Challenge Corporation (MCC) and country environmental assessment and accountability officials from the 12 countries which have been approved for funding by the MCC. The training, delivered in English with simultaneous translation into Spanish and French, was held to prepare staff members for conducting independent review of proposed projects to ensure they meet the high standards for sustainable practices to secure long term environmental, economic and social benefits. The course included two case studies, drawn from the World Bank, involving proposed highway improvements and reconstruction of a failing dam. Preparations are also being made to deliver this training to six countries in Central America under the CAFTA-DR’s environmental cooperation agreement. Contact: Cheryl Wasserman, 202-564-7129

Office of Site Remediation Enforcement (OSRE)

Superfund New Attorney Training: OSRE held the Superfund New Attorney Training in May 2007, in Washington, D.C. This course is designed for attorneys new to Superfund, providing them with the basic information on all aspects of the Superfund program. Each module is presented by instructors, both from the Regions and Headquarters, who have vast knowledge and first-hand experience on the topic. There were 55 attendees representing EPA, DOJ, Department of Agriculture, DOI, and both state and local governments. Contact: Pat Kennedy, 202-564-6061.

Partnerships

Regional Environmental Enforcement Associations: NETI continued to provide funding to four Regional Environmental Enforcement Associations to assist in providing training at the state and local levels. These organizations are alliances of regulatory, law enforcement, and prosecution agencies and were created by the states to support the effective enforcement of environmental statutes, with an emphasis on criminal enforcement. In addition to providing training, they offer networking opportunities, information support services, and technical assistance to their 48 member states and four Canadian provinces.

In FY 2007, the State Associations trained a combined total of 1,951 students.

- Midwest Environmental Enforcement Association (MEEA), located in St. Charles, IL, trained 305 members
- Northeast Environmental Enforcement Project (NEEP), located in Trenton, NJ, trained 396 members
- Southern Environmental Enforcement Network (SEEN), located in Montgomery, AL, trained 500 members
- Western States Project (WSP), located in Phoenix, AZ, trained 750 members

Training Facilities

Practical Exercise Training Facility Dedication: The NETI Practical Exercise Training Facility, a remodeled industrial site located on the Denver Federal Center compound in Lakewood, Colorado, was officially opened and dedicated in October 2006. This site serves as an important tool in providing hands-on training to the environmental enforcement community.

Besides providing training in EPA's Regional Offices around the country and at other state locations, NETI manages two state-of-the-art training sites:

- **NETI-Headquarters:** over **26,550 people** attended various training activities, meetings, and video conferences this year in this facility, located in the historic Ariel Rios building in downtown Washington, DC.
- **NETI-West:** **1,891** people attended training at NETI-West, which is located in Lakewood, Colorado, a suburb of Denver.

For more information . . .

NETI's web site can be found at www.epa.gov/compliance/training/neti. The Catalog and Schedule of OECA's courses, as well as other training information and materials, are available on the web site. If you have other questions, please contact NETI at 202-564-2430.

EPA Regional Offices

EPA's Regional Offices provide a number of training opportunities for their staff as well as for state, local, and tribal government personnel located within their respective Regions. For the purposes of this report, only those training activities related to enforcement and compliance monitoring are included. Following are some training highlights for FY 2007:

Region 1 (Boston):

- **Region I Tribes Receive Site Worker Refresher Training:** Each year, OECA provides financial resources to the Regions to build and improve the capacity of federally-recognized Indian tribal governments (tribes), inter-tribal consortia, or other tribal organizations to foster environmental enforcement and compliance assurance activities and to improve compliance with environmental laws. Resources from this program were used by the New England Consortium of the University of Massachusetts-Lowell to conduct an 8-hour Site Worker Refresher Course for New England tribal personnel on March 26, 2007. The training was held at the Penobscot Nation Indian Island Reservation where 18 participants from the northern tribes, consisting of the Aroostook Band of Micmacs, the Penobscot Indian Nation, and the Passamaquoddy Tribe (Indian Township and Pleasant Point) attended the training. Contact: Deborah Brown, 617-918-1706.

Regions 1 and 2 (New York):

- **Joint Pesticide Import Training and Inspection with U.S. Custom Border Protection:** On June 29, 2007, Regions 1 and 2 conducted Pesticide Import Enforcement training at the U.S. Custom Border Protection (US CBP) office in Champlain, New York. The purpose of the training was to familiarize U.S. Custom Agents working at the border with the Notice of Arrivals (NOA) process requirement for pesticide import under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). The next day, Regions 1 and 2 and US CBP Agents conducted a Pesticide Import Inspection at Alexandria Bay, New York. Contact: Kan Tham, 617-918 1872; Luz Garcia, 732-321 6750; Michael Kramer, 732-321 6610.

Region 5 (Chicago):

- **State, Local and Tribal Air Inspector Workshop:** EPA Region 5 held its first State, Local and Tribal Air Inspector Workshop on June 27-28 in Chicago. Over 50 participants heard presentations and attended training on various topics, including the Air Toxics Enforcement Priority, the Miscellaneous Metal Parts and Products Surface Coating maximum available control technology (MACT) rule (Subpart MMMM) and the Plastic Parts and Products Surface Coating MACT rule (Subpart PPPP). Contact: [need Region 5 contact name], Scott Throwe, 202-564-7013; Len Lazarus, 202-564-6369.

Region 6 (Dallas):

- **Offshore Outer Continental Shelf NPDES:** On February 13-15, 2007, staff from the Water Enforcement Branch in Region 6 conducted a “Refresher Training for Minerals Management Service Inspectors.” MMS Gulf of Mexico Districts visited were New Orleans, Houma, Lafayette, Lake Charles, and Lake Jackson. The training covered the MMS-NPDES inspection process and preparation for issuance of a revised Memorandum of Agreement. Contact: Robert Houston, 214-665-8565.
- **Civil/Criminal Enforcement Training Session:** In an effort to provide cross-training for Region 6 employees, the Compliance Assurance and Enforcement Division hosted a three-day training session with the Office of Regional Counsel and appearance by the Office of External Affairs. The sessions featured various aspects of enforcement, including an overview of laws and regulations; how to apply them and other things that can be done when pursuing violators such as administrative penalty proceedings, Supplemental Environmental Projects (SEPs), and judicial enforcement; media relations; and other enforcement-related duties, such as inspections and facility access. Over 100 Region 6 employees attended. Contacts: John Emerson, 214-665-3137; Teresa Cooks, 214-665-8145.

Regional Training Statistics

Following are training statistics for FY 2007, as reported by each Region. For the purposes of this report, only enforcement and compliance monitoring training activities are included.

| | # of Federal Students | # of State & Local Students | # of Tribal Students | #of Intern'l and Others | Total Students |
|---------------|--------------------------------------|--|---------------------------------|------------------------------------|---------------------------|
| Region 1 | 76 | 221 | 38 | 0 | 335 |
| Region 2 | 65 | 591 | 0 | 0 | 656 |
| Region 3 | 74 | 436 | 1 | 0 | 511 |
| Region 4 | 389 | 212 | 0 | 0 | 601 |
| Region 5 | 12 | 266 | 2 | 2 | 282 |
| Region 6 | 203 | 1,127 | 7 | 1 | 1,338 |
| Region 7 | 39 | 165 | 0 | 0 | 204 |
| Region 8 | 15 | 10 | 0 | 0 | 25 |
| Region 9 | 0 | 47 | 46 | 200 | 293 |
| Region 10 | 559 | 1133 | 116 | 9 | 1817 |
| Totals | 1432 | 4,208 | 210 | 212 | 6,062 |